

REMARKS

The last Office Action of November 19, 2009 has been carefully considered. Reconsideration of the instant application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-22 are pending in the application. Claims 1, 9, 10, 21 have been amended. No claims have been canceled or added. No amendment to the specification has been made. No fee is due.

It is noted with appreciation that claims 2, 6, 7, 9, 11, 12, 18, 21-22 are indicated allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims and, where applicable, to overcome the rejection under 35 U.S.C. §112. However, applicant wishes to defer amendments to these dependent claims in view of the arguments presented below regarding amended claims 1 and 10.

OBJECTION TO THE DRAWING

Applicant submits herewith new Figs. 1-7 to replace the originally submitted Figs. 1-7. New drawing sheets, labeled "REPLACEMENT SHEET", respectively are submitted.

Withdrawal of the objection to the drawing is thus respectfully requested.

CLAIM REJECTIONS - 35 U.S.C. §112, SECOND PARAGRAPH

Claims 9, 21-22 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has amended claims 9 and 21 to address the §112 rejection. These changes are self-explanatory and cosmetic in nature and should not be considered as a narrowing amendment to trigger prosecution history estoppel.

Withdrawal of the rejection under 35 U.S.C. §112, second paragraph is thus respectfully requested.

CLAIM REJECTIONS - 35 U.S.C. §102, 103

Claims 1, 3-5, 10, 13-17 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 3,568,495 to Duffield et al.

Claims 8, 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Duffield et al. in view of U.S. 2003/0070469 to Kokish.

The rejections under 35 U.S.C. §102(b) and §103(a) are respectfully traversed in view of the amendments to independent claims 1 and 10 and the following remarks.

Applicant has amended claims 1 and 10 by setting forth the "expandable" characteristics of the tensioning members. Support therefore can be found in paragraph [0015] of the instant specification ("*the tensioning members expand when subject to a pressure fluid*"). Thus, when the tensioning members are acted upon by a pressure fluid, the expansion of the tensioning members forces the compressors in opposition to a resiliently elastic rebound force.

Duffield et al describe a compression device having tensioning members (collet segments (10)) which are moved radially inwards when acted upon by a pressure fluid to apply a compression force. There is no expansion of the tensioning members which merely move as a whole in radial direction. The springs (16) arranged in confronting pockets of meeting faces of the segments are rendered operative merely to separate the segments from one another, when the segments move radially outwards (col. 2, ll. 51-55).

For the reasons set forth above, it is applicant's contention that neither Duffield et al. nor Kokish, taken alone or in combination thereof teaches or suggests the features of the present invention, as recited in claims 1 and 10.

Claim 2-9 which depend from claim 1 and therefore contain all the limitations thereof, and claims 11-22 which depend from claim 10 and therefore contain all the

limitations thereof patentably distinguish over the applied prior art in the same manner as claims 1 and 10, respectively.

Withdrawal of the rejections under 35 U.S.C. §102(b) and §103(a) are respectfully requested.

CONCLUSION

In view of the above presented remarks and amendments, it is respectfully submitted that all claims on file should be considered patentably differentiated over the art and should be allowed.

Reconsideration and allowance of the present application are respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

By: 

Henry M. Feiereisen
Agent For Applicant
Reg. No: 31,084

Date: February 18, 2010
708 Third Avenue
Suite 1501
New York, N.Y. 10017
(212)244-5500
HMF:af